

Robert Mower vs. Phenix Mutual Fire Insurance Company

Held November 8, 2018 – Docket No. INS-18-2054

Decision Issued: December 3, 2018

The named insured requested a hearing to contest the cancellation of a homeowners policy for failure to comply with loss control recommendations. The evidence on the record demonstrates that one or more of the loss control recommendations was not completed.

Held: For the company. 24-A M.R.S.A. § 3049(10) permits an insurer to cancel a policy if the insured fails to comply with reasonable loss control recommendations within 90 days after notice from the insurer. The company demonstrated that its loss control recommendations were reasonable and that one or more had not been completed within 90 days. Accordingly, the cancellation was permitted.